



GENERAL ASSEMBLY

COMMONWEALTH OF KENTUCKY

2011 REGULAR SESSION

HOUSE BILL NO. 313

FRIDAY, FEBRUARY 25, 2011

The following bill was reported to the Senate from the House and ordered to be printed.

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ELAINE N. WALKER
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY R. Allen

1 AN ACT relating to concealed deadly weapons.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔Section 1. KRS 527.020 is amended to read as follows:

4 (1) A person is guilty of carrying a concealed weapon when he or she carries concealed
5 a firearm or other deadly weapon on or about his or her person.

6 (2) Peace officers and certified court security officers, when necessary for their
7 protection in the discharge of their official duties; United States mail carriers when
8 actually engaged in their duties; and agents and messengers of express companies,
9 when necessary for their protection in the discharge of their official duties, may
10 carry concealed weapons on or about their person.

11 (3) *The director of the Division of Law Enforcement in the Department of Fish and*
12 *Wildlife Resources, conservation officers of the Department of Fish and Wildlife*
13 *Resources, and* policemen directly employed by state, county, city, or urban-county
14 governments may carry concealed deadly weapons on or about their person at all
15 times within the Commonwealth of Kentucky, when expressly authorized to do so
16 *by law or* by the government employing the officer.

17 (4) Persons, except those specified in subsection (5) of this section, licensed to carry a
18 concealed deadly weapon pursuant to KRS 237.110 may carry a firearm or other
19 concealed deadly weapon on or about their persons at all times within the
20 Commonwealth of Kentucky, if the firearm or concealed deadly weapon is carried
21 in conformity with the requirements of that section. Unless otherwise specifically
22 provided by the Kentucky Revised Statutes or applicable federal law, no criminal
23 penalty shall attach to carrying a concealed firearm or other deadly weapon with a
24 permit at any location at which an unconcealed firearm or other deadly weapon may
25 be constitutionally carried. No person or organization, public or private, shall
26 prohibit a person licensed to carry a concealed deadly weapon from possessing a
27 firearm, ammunition, or both, or other deadly weapon in his or her vehicle in

1 compliance with the provisions of KRS 237.110 and 237.115. Any attempt by a
2 person or organization, public or private, to violate the provisions of this subsection
3 may be the subject of an action for appropriate relief or for damages in a Circuit
4 Court or District Court of competent jurisdiction.

5 (5) (a) The following persons, if they hold a license to carry a concealed deadly
6 weapon pursuant to KRS 237.110, may carry a firearm or other concealed
7 deadly weapon on or about their persons at all times and at all locations within
8 the Commonwealth of Kentucky, without any limitation other than as
9 provided in this subsection:

- 10 1. A Commonwealth's attorney or assistant Commonwealth's attorney;
- 11 2. A county attorney or assistant county attorney;
- 12 3. A justice or judge of the Court of Justice; and
- 13 4. A retired or senior status justice or judge of the Court of Justice.

14 (b) The provisions of this subsection shall not authorize a person specified in this
15 subsection to carry a concealed deadly weapon in a detention facility as
16 defined in KRS 520.010 or on the premises of a detention facility without the
17 permission of the warden, jailer, or other person in charge of the facility, or
18 the permission of a person authorized by the warden, jailer, or other person in
19 charge of the detention facility to give such permission. As used in this
20 section, "detention facility" does not include courtrooms, facilities, or other
21 premises used by the Court of Justice or administered by the Administrative
22 Office of the Courts.

23 (c) A person specified in this section who is issued a concealed deadly weapon
24 license shall be issued a license which bears on its face the statement that it is
25 valid at all locations within the Commonwealth of Kentucky and may have
26 such other identifying characteristics as determined by the Department of
27 Kentucky State Police.

- 1 (6) (a) Except provided in this subsection, the following persons may carry concealed
2 deadly weapons on or about their person at all times and at all locations within
3 the Commonwealth of Kentucky:
- 4 1. An elected sheriff and full-time and part-time deputy sheriffs certified
5 pursuant to KRS 15.380 to 15.404 when expressly authorized to do so
6 by the unit of government employing the officer;
 - 7 2. An elected jailer and a deputy jailer who has successfully completed
8 Department of Corrections basic training and maintains his or her
9 current in-service training when expressly authorized to do so by the
10 jailer; and
 - 11 3. The department head or any employee of a corrections department in any
12 jurisdiction where the office of elected jailer has been merged with the
13 office of sheriff who has successfully completed Department of
14 Corrections basic training and maintains his or her current in-service
15 training when expressly authorized to do so by the unit of government
16 by which he or she is employed.
- 17 (b) The provisions of this subsection shall not authorize a person specified in this
18 subsection to carry a concealed deadly weapon in a detention facility as
19 defined in KRS 520.010 or on the premises of a detention facility without the
20 permission of the warden, jailer, or other person in charge of the facility, or
21 the permission of a person authorized by the warden, jailer, or other person in
22 charge of the detention facility to give such permission. As used in this
23 section, "detention facility" does not include courtrooms, facilities, or other
24 premises used by the Court of Justice or administered by the Administrative
25 Office of the Courts.
- 26 (7) (a) A full-time paid peace officer of a government agency from another state or
27 territory of the United States or an elected sheriff from another territory of the

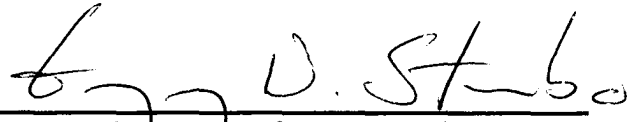
United States may carry a concealed deadly weapon in Kentucky, on or off duty, if the other state or territory accords a Kentucky full-time paid peace officer and a Kentucky elected sheriff the same rights by law. If the other state or territory limits a Kentucky full-time paid peace officer or elected sheriff to carrying a concealed deadly weapon while on duty, then that same restriction shall apply to a full-time paid peace officer or elected sheriff from that state or territory.

(b) The provisions of this subsection shall not authorize a person specified in this subsection to carry a concealed deadly weapon in a detention facility as defined in KRS 520.010 or on the premises of a detention facility without the permission of the warden, jailer, or other person in charge of the facility, or the permission of a person authorized by the warden, jailer, or other person in charge of the detention facility to give such permission. As used in this section, "detention facility" does not include courtrooms, facilities, or other premises used by the Court of Justice or administered by the Administrative Office of the Courts.

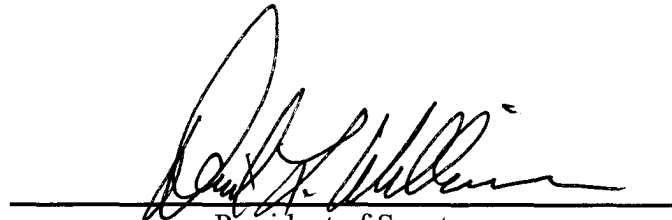
(8) A loaded or unloaded firearm or other deadly weapon shall not be deemed concealed on or about the person if it is located in any enclosed container,~~[a glove]~~ compartment, or storage space~~[regularly]~~ installed as original equipment in a motor vehicle by its manufacturer, including but not limited to a glove compartment, center console, or seat pocket, regardless of whether said enclosed container, storage space, or compartment is locked, unlocked, or does not have a locking mechanism. No person or organization, public or private, shall prohibit a person from keeping a loaded or unloaded firearm or ammunition, or both, or other deadly weapon in a~~[glove compartment of a]~~ vehicle in accordance with the provisions of this subsection. Any attempt by a person or organization, public or private, to violate the provisions of this subsection may be the subject of an action

1 for appropriate relief or for damages in a Circuit Court or District Court of
2 competent jurisdiction. *This subsection shall not apply to any person prohibited*
3 *from possessing a firearm pursuant to KRS 527.040.*


4 (9) Carrying a concealed weapon is a Class A misdemeanor, unless the defendant has
5 been previously convicted of a felony in which a deadly weapon was possessed,
6 used, or displayed, in which case it is a Class D felony.



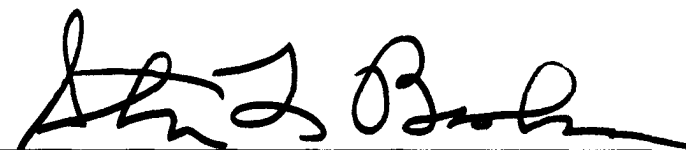
Speaker-House of Representatives



President of Senate

Attest: 

Chief Clerk of House of Representatives

Approved 

Governor

Date 3-16-11